REMARKS

Claims 1-9 are pending in the patent application. Claims 1, 2, and 8 are independent claims, from which the remaining pending claims ultimately depend. Each of the independent claims was previously amended so that state information is stored "exclusively" within the interconnect connecting the nodes of the multiprocessor system to one another, "such that the interconnect is a sole repository of cache coherence information" within the system.

In the Final Office Action, the Examiner provided a single basis of rejection of all the claims, that the claims fail the written description requirement under 35 USC 112, first paragraph. That is, that the claims contain subject matter which are not described in the specification in such a way as to reasonably convey to one of ordinary skill within the art that the inventors had possession of the claimed invention at the time the patent application was filed.

Applicant acknowledges that the Examiner has established a *prima facie* case of lack of written description. Therefore, in response, Applicant provides evidence that the specification does indeed reasonably convey to one of ordinary skill within the art that the inventors had possession of the claimed invention at the time the patent application was filed. Such evidence is provided in the form of a Rule 132 declaration, of Donald R. DeSota, that is filed herewith. Applicant submits, therefore, that the claimed invention satisfies the written description requirement, in light of Mr. DeSota's declaration.

The present situation is similar to the situation that the Board of Patent Appeals and Interferences considered in Ex parte Parks, 30 USPQ2d 1234 (BPAI 1994). In Parks, the invention related to a method of determining the nitrogen content of a sample by decomposing it. The applicant in Parks inserted into the claims after the application was filed that the decomposition was conducted "in the absence of a catalyst." (Id. at 1236) The Examiner rejected the application for lack of adequate written description because the application as

originally filed did not contain a statement that the decomposition could be conducted in the absence of a catalyst. The applicant therefore submitted Rule 132 declarations.

On appeal, the Board agreed with the applicant in Parks, relying upon the declarations submitted by the applicant. As stated in Parks,

> [A]ccording to two declarations by Wentworth, a professor of chemistry at the University of Houston, whose expertise in this particular art has not been challenged, one having ordinary skill in the art would have recognized that the reaction generating nitric oxide . . . is conducted without a catalyst. . . . Therefore, it cannot be said that the originally filed disclosure would not have conveyed to one having ordinary skill in the art the concept of effecting decomposition . . . in the absence of a catalyst.

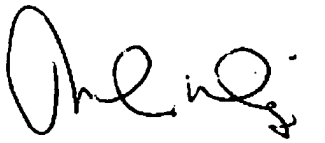
(Id. at 1237-38) Thus, Parks illustrates a situation when applicants have submitted Rule 132 declarations to overcome lack of adequate written description.

Like the declarant in Parks, Mr. DeSota in the current case is one of ordinary skill within the art who upon reviewing the patent application as originally filed believes it reasonably conveys to one of ordinary skill within the art, like himself, that the inventors had possession of the claimed invention. Therefore, Applicant traverses the 35 USC 112, first paragraph, rejection on this basis.

Conclusion

Applicants have made a diligent effort to place the pending claims in condition for allowance, and request that they so be allowed. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Applicants' Attorney so that such issues may be resolved as expeditiously as possible. For these reasons, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,



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Date

Michael A. Dryja, Reg. No. 39,662
Attorney/Agent for Applicant(s)

Law Offices of Michael Dryja
704 228th Ave NE #694
Sammamish, WA 98074
tel: 425-427-5094, fax 206-374-2819